BEFORE THE 1 BOARD OF VOCATIONAL NURSING 2 AND PSYCHIATRIC TECHNICIANS DEPARTMENT OF CONSUMER AFFAIRS 3 STATE OF CALIFORNIA In the Matter of the Statement of Issues Case No. VN-2010-1628 Against: 6 ELIZABETH DIANNE HAWKINS 830 Salmon Falls Road El Dorado Hills, CA 95762 8 9 Applicant for Vocational Nurse License 10 Respondent. 11 12 **DECISION** 13 14 The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of 15 Vocational Nursing and Psychiatric Technicians as the final Decision in the above-entitled matter. 16 17 This Decision shall become effective on December 15, 2012. 18 IT IS SO ORDERED this 15th day of November, 2012. 19 20 21 22 23 Todd D'Braunstein, PT President 24 25 26 27

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1	KAMALA D. HARRIS		
2	Attorney General of California ALFREDO TERRAZAS		
3	Senior Assistant Attorney General JANICE K. LACHMAN		
3	Supervising Deputy Attorney General		
4	State Bar No. 186131		
5	1300 I Street, Suite 125 P.O. Box 944255		
6	Sacramento, CA 94244-2550		
	Telephone: (916) 445-7384 Facsimile: (916) 327-8643		
7	Attorneys for Complainant		
8	BEFORE THE BOARD OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS DEPARTMENT OF CONSUMER AFFAIRS		
9			
	STATE OF CALIFORNIA		
10		1	
11	In the Matter of the Statement of Issues	Case No. VN-2010-1628	
12	Against:	OAH No.	
	ELIZABETH DIANNE HAWKINS		
13	830 Salmon Falls Road El Dorado Hills, CA 95762	STIPULATED SETTLEMENT AND DISCIPLINARY ORDER	
14	Vocational Nurse License Applicant	DISCH EMART ORDER	
15	Respondent.		
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17			
18	IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-		
19	entitled proceedings that the following matters are true:		
20	<u>PARTIES</u>		
21	1. Teresa Bello-Jones, J.D., M.S.N., R.N. (Complainant) is the Executive Officer of the		
22	Board of Vocational Nursing and Psychiatric Technicians. She brought this action solely in her		
23	official capacity and is represented in this matter by Kamala D. Harris, Attorney General of the		
24	State of California, by Janice K. Lachman, Supervising Deputy Attorney General.		
25	2. Respondent Elizabeth Dianne Hawkins (Respondent) is represented in this		
26	proceeding by attorney Steven L. Simas, Esq., of Simas & Associates, LTD, whose address is:		
27	North Pointe Business Centre, 3835 North Freeway Boulevard, Suite 228, Sacramento, CA		
28	95834.		

3. On or about September 20, 2010, Respondent filed an application, dated September 3, 2010, with the Board of Vocational Nursing and Psychiatric Technicians to obtain a Vocational Nurse License.

JURISDICTION

- 4. Statement of Issues No. VN-2010-1628 was filed before the Board of Vocational Nursing and Psychiatric Technicians (Board), Department of Consumer Affairs, and is currently pending against Respondent. The Statement of Issues and all other statutorily required documents were properly served on Respondent on December 13, 2011.
- 5. A copy of Statement of Issues No. VN-2010-1628 is attached as exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

- 6. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Statement of Issues No. VN-2010-1628. Respondent has also carefully read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.
- 7. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Statement of Issues; the right to be represented by counsel at her own expense; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.
- 8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

9. Respondent admits the truth of each and every charge and allegation in Statement of Issues No. VN-2010-1628.

10. Respondent agrees that her application for a Vocational Nurse License is subject to denial and she agrees to be bound by the Board's probationary terms as set forth in the Disciplinary Order below.

RESERVATION

11. The admissions made by Respondent herein are only for the purposes of this proceeding, or any other proceedings in which the Board of Vocational Nursing and Psychiatric Technicians or other professional licensing agency is involved, and shall not be admissible in any other criminal or civil proceeding.

CONTINGENCY

- 12. This stipulation shall be subject to approval by the Board of Vocational Nursing and Psychiatric Technicians. Respondent understands and agrees that counsel for Complainant and the staff of the Board of Vocational Nursing and Psychiatric Technicians may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent or her counsel. By signing the stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.
- 13. The parties understand and agree that facsimile copies of this Stipulated Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same force and effect as the originals.
- 14. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

15. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Respondent Elizabeth Dianne Hawkins will be issued a Vocational Nurse License, which will be immediately revoked. The revocation will be stayed and the license placed on three (3) years probation on the following terms and conditions.

1. **OBEY ALL LAWS**. Respondent shall obey all federal, state and local laws, including all statutes and regulations governing the license. Respondent shall submit, in writing, a full and detailed account of any and all violations of the law, including alleged violations, to the Board within five (5) days of occurrence.

To ensure compliance with this condition, respondent shall submit fingerprints through the Department of Justice and Federal Bureau of Investigation within thirty (30) days of the effective date of the decision, unless the Board determines that fingerprints were previously submitted by the respondent to the Board.

Respondent shall also submit to the Board a recent 2" x 2" photograph of herself within thirty (30) days of the effective date of the decision.

If respondent is under a criminal court order, including probation or parole, and the order is violated, it shall be deemed a violation of these probation conditions.

2. **COMPLIANCE WITH PROBATION PROGRAM.** Respondent shall fully comply with the conditions of probation established by the Board and shall cooperate with representatives of the Board in its monitoring and investigation of the respondent's compliance with the Probation Program.

Upon successful completion of probation, the respondent's license will be fully restored.

3. **SUBMIT WRITTEN REPORTS.** Respondent shall submit or cause to be submitted, under penalty of perjury, any written reports, declarations and verification of actions as required by the Board or its representatives. These reports or declarations shall contain statements relative to respondent's compliance with all the conditions of the Board's Program.

Respondent shall immediately execute all release of information forms as may be required by the Board or its representatives.

In the first report, Respondent shall provide a list of all states and territories where she has ever been licensed as a vocational/practical nurse, psychiatric technician, or registered nurse. Respondent shall provide information regarding the status of each license and any change in license status during the period of probation. Respondent shall inform the Board if she applies for or obtains a new nursing or psychiatric technician license during the period of probation.

Respondent shall provide a copy of the Board's decision to the regulatory agency in every state and territory in which she has applied for or holds a vocational/practical nurse, psychiatric technician and/or registered nurse license.

4. **NOTIFICATION OF ADDRESS AND TELEPHONE NUMBER CHANGE(S).** Respondent shall notify the Board, in writing, within five (5) days of any change in address or telephone number(s).

Respondent's failure to claim mail sent by the Board may be deemed a violation of these probation conditions.

5. NOTIFICATION OF RESIDENCY OR PRACTICE OUTSIDE OF STATE.

Respondent shall notify the Board, in writing, within five (5) days, if she leaves California to reside or practice in another state. Periods of residency or practice outside of California shall not apply toward a reduction of this probation time period. If Respondent resides or practices outside of California, the period of probation shall be automatically extended for the same time period she resides or practices outside of California. The respondent shall provide written notice to the Board within five (5) days of any change of residency or practice.

Respondent shall notify the Board, in writing, within five (5) days, upon her return to California.

- 6. **MEETINGS WITH BOARD REPRESENTATIVE(S).** Respondent shall appear in person at meetings as directed by the Board or its designated representatives.
- 7. **NOTIFICATION TO EMPLOYER(S).** When currently employed or applying for employment in any capacity in any health care profession, Respondent shall notify her employer

of the probationary status of Respondent's license. This notification to the Respondent's current health care employer shall occur no later than the effective date of the Decision. The respondent shall notify any prospective health care employer of her probationary status with the Board prior to accepting such employment. At a minimum, this notification shall be accomplished by providing the employer or prospective employer with a copy of the Board's Statement of Issues and Disciplinary Decision.

The Health Care Profession includes, but is not limited to: Licensed Vocational Nurse, Psychiatric Technician, Registered Nurse, Medical Assistant, Paramedic, Emergency Medical Technician, Certified Nursing Assistant, Home Health Aide, and all other ancillary technical health care positions.

Respondent shall cause each health care employer to submit to the Board all performance evaluations and any other employment related reports as required by the Board. Respondent shall notify the Board, in writing, of any difficulty in securing employer reports within five (5) days of such an event.

Respondent shall notify the Board, in writing, within five (5) days of any change in employment status. Respondent shall notify the Board, in writing, if she is terminated or separated, regardless of cause, from any nursing or health care related employment with a full explanation of the circumstances surrounding the termination or separation.

8. **EMPLOYMENT REQUIREMENTS AND LIMITATIONS.** Respondent shall work in her licensed capacity in the state of California. This practice shall consist of no less than six (6) continuous months and of no less than twenty (20) hours per week.

Respondent shall not work for a nurses' registry or in any private duty position, a temporary nurse placement agency, as a faculty member in an accredited or approved school of nursing, or as an instructor in a Board approved continuing education course except as approved, in writing, by the Board. Respondent shall work only on a regularly assigned, identified and predetermined work site(s) and shall not work in a float capacity except as approved, in writing, by the Board.

9. **SUPERVISION REQUIREMENTS.** Before commencing or continuing employment in any health care profession, Respondent shall obtain approval from the Board of

the supervision provided to the respondent while employed.

Respondent shall not function as a charge nurse (i.e., work in any healthcare setting as the person who oversees or directs licensed vocational nurses, psychiatric technicians, certified nursing assistants or unlicensed assistive personnel) or supervising psychiatric technician during the period of probation except as approved, in writing, by the Board.

10. **COMPLETION OF EDUCATIONAL COURSE(S).** Respondent, at her own expense, shall enroll and successfully complete a course(s) substantially related to the violation(s) no later than the end of the first year of probation.

The coursework shall be in addition to that required for license renewal. The Board shall notify the respondent of the course content and number of contact hours required. Within thirty (30) days of the Board's written notification of assigned coursework, Respondent shall submit a written plan to comply with this requirement. The Board shall approve such plan prior to enrollment in any course of study.

Upon successful completion of the course, respondent shall submit "original" completion certificates to the Board within thirty (30) days of course completion.

11. **MAINTENANCE OF VALID LICENSE.** Respondent shall, at all times, maintain an active current license with the Board including any period of suspension.

If an initial license must be issued (Statement of Issues) or a license is reinstated, probation shall not commence until a license is issued by the Board. Respondent must complete the licensure process within two (2) years from the effective date of the Board's decision.

Should Respondent's license expire, by operation of law or otherwise, upon renewal or reinstatement, Respondent's license shall be subject to any and all conditions of this probation not previously satisfied.

12. LICENSE SURRENDER. During probation, if Respondent ceases practicing due to retirement, health reasons, or is otherwise unable to satisfy the conditions of probation, Respondent may surrender her license to the Board. The Board reserves the right to evaluate Respondent's request and to exercise its discretion whether to grant the request without further hearing. Upon formal acceptance of the tendered license, Respondent will no longer be subject to

the conditions of probation.

Surrender of Respondent's license shall be considered a disciplinary action and shall become a part of Respondent's license history with the Board. A licensee who surrenders her license may petition the Board for reinstatement no sooner than the following minimum periods from the effective date of the disciplinary decision for the surrender:

Three (3) years for reinstatement of a license surrendered for any reason other than a mental or physical illness; or One (1) year for a license surrendered for a mental or physical illness.

- 13. VIOLATION OF PROBATION. If Respondent violates the conditions of her probation, the Board, after giving the respondent notice and an opportunity to be heard, may set aside the stay order and impose the stayed discipline (denial/revocation/suspension) of the respondent's license. If during probation, an accusation or petition to revoke probation has been filed against the respondent's license or the Attorney General's Office has been requested to prepare an accusation or petition to revoke probation against the respondent's license, the probationary period shall automatically be extended and shall not expire until the accusation or petition has been acted upon by the Board.
- 14. CHEMICAL DEPENDENCY SUPPORT & RECOVERY GROUPS. Within five (5) days of the effective date of the Decision, Respondent shall begin attendance at a chemical dependency support group (e.g. Alcoholics Anonymous, Narcotics Anonymous, Nurse Support Group). Verified documentation of attendance shall be submitted by the respondent with each written report as required by the Board. Respondent shall continue attendance in such a group for the duration of probation.
- 15. ABSTAIN FROM CONTROLLED SUBSTANCES. Respondent shall completely abstain from the personal use or possession of controlled substances, as defined in the California Uniform Controlled Substances Act, and dangerous drugs as defined in Section 4021 and 4022 of the Business and Professions Code, except when lawfully prescribed by a licensed practitioner for a bona fide illness.
- 16. **ABSTAIN FROM USE OF ALCOHOL.** Respondent shall completely abstain from the use of alcoholic beverages and products containing alcohol.

STIPULATED SETTLEMENT (VN-2010-1628)

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17. SUBMIT BIOLOGICAL FLUID SAMPLES, Respondent shall immediately submit to biological fluid testing, at Respondent's cost, upon request by the Board or its designee, There will be no confidentiality in test results; positive test results will be immediately reported to the Board and the respondent's current employer. ACCEPTANCE I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Steven L. Simas. I understand the stipulation and the effect it will have on my Vocational Nurse License. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Vocational Nursing and Psychiatric Technicians. Respondent I have read and fully discussed with Respondent Elizabeth Dianne Hawkins the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form, and content. DATED: Attorney for Respondent

ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board of Vocational Nursing and Psychiatric Technicians of the Department of Consumer Affairs.

Dated: 7/2/12

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Respectfully submitted,

KAMALA D. HARRIS Attorney General of California ALFREDO TERRAZAS Senior Assistant Attorney General

JANICE K. LACHMAN

Supervising Deputy Attorney General Attorneys for Complainant

SA2011100993 Stipulation.rtf

Exhibit A

Statement of Issues No. VN-2010-1628

1			
1	Kamala D. Harris		
2	Attorney General of California ALFREDO TERRAZAS		
3	Senior Assistant Attorney General JANICE K. LACHMAN		
4	Supervising Deputy Attorney General State Bar No. 186131		
	1300 I Street, Suite 125		
5	P.O. Box 944255 Sacramento, CA 94244-2550		
6	Telephone: (916) 445-7384 Facsimile: (916) 327-8643		
7	Attorneys for Complainant		
8	BEFORE THE		
9	BOARD OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS DEPARTMENT OF CONSUMER AFFAIRS		
10	STATE OF CALIFORNIA		
11	In the Matter of the Statement of Issues Against: Case No. VN-2010-1628		
12	ELIZABETH DIANNE HAWKINS, aka ELIZABETH DIANE BECK		
13	830 Salmon Falls Road STATEMENT OF ISSUES		
14	El Dorado Hills, CA 95762		
15	Respondent.		
16	Complainant alleges:		
17	PARTIES		
18	1. Teresa Bello-Jones, J.D., M.S.N., R.N. ("Complainant") brings this Statement of		
19	Issues solely in her official capacity as the Executive Officer of the Board of Vocational Nursing		
20	and Psychiatric Technicians ("Board"), Department of Consumer Affairs.		
21	2. On or about September 20, 2010, the Board received an application for a vocational		
22	nurse license from Elizabeth Dianne Hawkins, also known as Elizabeth Diane Beck		
23	("Respondent"). On or about September 3, 2010, Respondent certified under penalty of perjury to		
24	the truthfulness of all statements, answers, and representations in the application. The Board		
25	denied the application on March 29, 2011.		
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STATUTORY AND REGULATORY PROVISIONS

- 3. Business and Professions Code ("Code") section 2866 provides, in pertinent part, that the Board may deny a license when it finds that the applicant has committed any acts constituting grounds for denial of licensure under section 480 of that Code.
 - Code section 480 states, in pertinent part:
 - (a) A board may deny a license regulated by this code on the grounds that the applicant has one of the following:
 - (1) Been convicted of a crime. A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo contendere. Any action which a board is permitted to take following the establishment of a conviction may be taken when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal, or when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the Penal Code.
 - (3)(A) Done any act that if done by a licentiate of the business or profession in question, would be grounds for suspension or revocation of license.
 - (B) The board may deny a license pursuant to this subdivision only if the crime or act is substantially related to the qualifications, functions, or duties of the business or profession for which application is made . . .
 - Code section 2878 states, in pertinent part:

The Board may suspend or revoke a license issued under this chapter [the Vocational Nursing Practice Act (Bus. & Prof. Code, 2840, et seq.)] for any of the following:

- (a) Unprofessional conduct...
- (f) Conviction of a crime substantially related to the qualifications, functions, and duties of a licensed vocational nurse, in which event the record of the conviction shall be conclusive evidence of the conviction . . .
- 6. Code section 2878.5 states, in pertinent part:

In addition to other acts constituting unprofessional conduct within the meaning of this chapter [the Vocational Nursing Practice Act] it is unprofessional conduct for a person licensed under this chapter to do any of the following:

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(b) Use any controlled substance as defined in Division 10 of the Health and Safety Code, or any dangerous drug as defined in Section 4022, or alcoholic beverages, to an extent or in a manner dangerous or injurious to himself or herself, any other person, or the public, or to the extent that the use impairs his or her ability to conduct with safety to the public the practice authorized by his or her license.

(c) Be convicted of a criminal offense involving possession of any narcotic or dangerous drug, or the prescription, consumption, or self administration of any of the substances described in subdivisions (a) and (b) of this section, in which event the record of the conviction is conclusive evidence thereof...

7. Code section 2878.6 states:

A plea or verdict of guilty or a conviction following a plea of nolo contendere made to a charge substantially related to the qualifications, functions and duties of a licensed vocational nurse is deemed to be a conviction within the meaning of this article. The board may order the license suspended or revoked, or may decline to issue a license, when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal or when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the Penal Code allowing such person to withdraw his plea of guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation, information or indictment.

8. Code section 490, subdivision (a), states:

In addition to any other action that a board is permitted to take against a licensee, a board may suspend or revoke a license on the ground that the licensee has been convicted of a crime, if the crime is substantially related to the qualifications, functions, or duties of the business or profession for which the license was issued.

9. California Code of Regulations, title 16, section 2521, states, in pertinent part:

For the purposes of denial, suspension, or revocation of a license pursuant to Division 1.5 (commencing with Section 475) of the Business and Professions Code, a crime or act shall be considered to be substantially related to the qualifications, functions or duties of a licensed vocational nurse if to a substantial degree it evidences present or potential unfitness of a licensed vocational nurse to perform the functions authorized by his license in a manner consistent with the public health, safety, or welfare. Such crimes or acts shall include but not be limited to those involving the following:

(c) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate any provision or term of Chapter 6.5, Division 2 of the Business and Professions Code . . .

(Criminal Convictions)

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Respondent's application is subject to denial pursuant to Code sections 2866, 480, subdivision (a)(1), and 480, subdivision (a)(3)(A), in that Respondent was convicted of crimes which are substantially related to the qualifications, functions, and duties of a licensed vocational nurse. Respondent's convictions would constitute cause for discipline against her pursuant to Code sections 2878, subdivision (f), and 490, subdivision (a), were she a licentiate of the Board.

- On or about February 19, 2002, in the criminal proceeding titled *People v. Elizabeth* Diane Beck (Super Ct. Sacramento County, 2002, Case No. 01T05707), Respondent pled guilty to violating Vehicle Code section 23152, subdivision (b) (driving a vehicle while having a blood alcohol level of .08 percent or more, a misdemeanor). The circumstances of the crime are as follows: On or about November 25, 2001, Respondent drove a motor vehicle while having a blood alcohol level of .22%.
- On or about November 20, 2008, in the criminal proceeding titled People v. Elizabeth Dianne Hawkins (Super Ct. Sacramento County, 2008, Case No. 08T04829), Respondent pled nolo contendere to violating Vehicle Code section 23152, subdivision (a) (driving a vehicle while under the influence of alcohol and/or drugs, a misdemeanor). The circumstances of the crime are as follows: On or about July 29, 2008, Officer Bailey with the Folsom Police Department ("FPD") was assisting Officer Rice on a traffic stop on eastbound Natoma Street and Coloma Street in Folsom. Officer Bailey was standing on the driver's side of Officer Rice's patrol car as Officer Rice sat in the car running a computer check. As Officer Rice was getting ready to exit his car, Officer Bailey looked to the west to observe for oncoming traffic. Respondent, who was driving a Ford truck, approached eastbound on Natoma Street and drove her truck in the far righthand edge of the lane in spite of the flashing warning lights on Officer Rice's patrol car. As the truck neared, Respondent made no attempt to move left in the lane. As Officer Rice was exiting, Officer Bailey pushed him back into the car. Respondent's vehicle nearly sideswiped Officer Bailey and the patrol car as it passed. Officer Bailey got into his patrol car and pursued Respondent's vehicle while activating his lights. Respondent eventually pulled over when Officer

Bailey shined his spotlight into the cab of her truck. When Officer Bailey made contact with Respondent, he observed a female passenger in her truck. Based upon her performance on field sobriety tests, objective symptoms of impairment, and the results of her initial breathalyzer test, Respondent was arrested for driving under the influence of alcohol and transported to the Folsom Police Department. Later, Respondent elected to submit to a breath test. Respondent's blood alcohol level was determined to be .18%.

SECOND CAUSE FOR DENIAL

(Use of Alcoholic Beverages to an Extent or in a Manner Dangerous or Injurious to Oneself and Others)

11. Respondent's application is subject to denial pursuant to Code sections 2866 and 480, subdivision (a)(3)(A), in that on or about November 25, 2001, and July 29, 2008, Respondent consumed alcoholic beverages to an extent or in a manner dangerous or injurious to herself and others, as set forth in paragraph 10 above. Respondent's acts would constitute causes for discipline against her pursuant to Code sections 2878, subdivision (a), and 2878.5, subdivision (b), were she a licentiate of the Board.

THIRD CAUSE FOR DENIAL

(Criminal Convictions Involving Consumption of Alcoholic Beverages)

12. Respondent's application is subject to denial pursuant to Code sections 2866 and 480, subdivision (a)(3)(A), in that on or about February 19, 2002, and November 20, 2008, Respondent was convicted of criminal offenses involving the consumption of alcoholic beverages, as set forth in paragraph 10 above. Respondent's acts would constitute causes for discipline against her pursuant to Code sections 2878, subdivision (a), and 2878.5, subdivision (c), were she a licentiate of the Board.

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PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Vocational Nursing and Psychiatric Technicians issue a decision:

- 1. Denying the application of Elizabeth Dianne Hawkins, also known as Elizabeth Diane Beck, for a vocational nurse license;
 - 2. Taking such other and further action as deemed necessary and proper.

DATED: December 9, 2011

TÉRESA BELLO-JONES, J.D.,(M.S.N), R.N.

Executive Officer

Board of Vocational Nursing and Psychiatric Technicians

Department of Consumer Affairs

State of California Complainant

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SA2011100993